

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 WEI QUAN WU,

13 Defendant.

CASE NO. CR20-0173-JCC

ORDER

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15 This matter comes before the Court on Defendant's unopposed motion to continue the
16 trial date and the pretrial motions deadline (Dkt. No. 87), along with his motion to seal (Dkt. No
17 88). Having thoroughly considered the briefing, the Court GRANTS the requests for the reasons
18 described herein.

19 Defendant was indicted in October 2020 for Conspiracy to Manufacture and Distribute
20 Marihuana, Possession with Intent to Distribute Marihuana, and Manufacturing and Possessing
21 with Intent to Distribute Marihuana. (Dkt. No. 1.) Trial is set for August 14, 2023. (Dkt. No. 69.)
22 Defendant moves to continue trial to March 4, 2024, citing the need for additional time to review
23 voluminous discovery and prepare for trial. (Dkt. No. 87 at 2.) Based on Defendant's
24 representations, the Court FINDS that, taking into account the exercise of due diligence, the
25 failure to grant a continuance would deny Defendant and his counsel the reasonable time
26 necessary for effective preparation, resulting in a miscarriage of justice. 18 U.S.C.

1 § 3161(h)(7)(B)(i), (iv). And, based on these findings, the Court concludes that the ends of
2 justice served by granting a continuance outweigh the best interest of the public and of
3 Defendant to a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

4 Included with Defendant's motion is an exhibit (Dkt. No. 89), filed under seal, which
5 Defendant now moves to maintain under seal. (Dkt. No. 88.) While the public has a common law
6 right to inspect and copy public records, including those from judicial proceedings, these rights
7 are not absolute. They must yield when (1) sealing a document serves a compelling interest, (2)
8 that is substantially likely to be harmed if the document is not sealed, and (3) there are no less
9 restrictive alternatives for protecting the interest. *See United States v. Doe*, 870 F.3d 991, 998
10 (9th Cir. 2017). Such is the case here, and the Court finds good cause to maintain the exhibit
11 under seal.

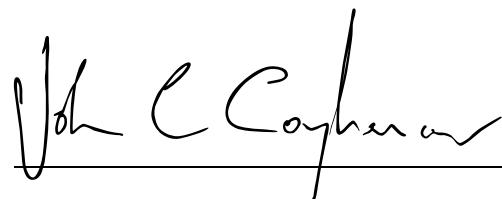
12 Accordingly, the Court GRANTS Defendant's request to continue (Dkt. No. 87) and to
13 seal (Dkt. No. 88) and ORDERS as follows:

14 1. The August 14, 2023 jury trial is CONTINUED until March 4, 2024.
15 2. The pretrial motions deadline is EXTENDED to January 6, 2024.
16 3. The period from the date of this order through the new trial date, March 4, 2024, is
17 excludable under 18 U.S.C. § 3161(h)(7)(A).

18 In addition, the Clerk is DIRECTED to maintain Docket Number 89 under seal.

19 DATED this 21st day of June 2023.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE